

Agenda

REVISED



Tempe City Council

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Harry E. Mitchell Government Center

Municipal Building

Council Chambers

31 East Fifth Street

7:30 P.M.

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

September 30, 2004

1. INVOCATION – Councilmember Arredondo
2. PLEDGE OF ALLEGIANCE
3. MINUTES – Councilmember Copple
 - A. Approval of Council Meeting Minutes
 - B. Acceptance of Board & Commission Meeting Minutes
 1. Design Review Board – July 21, 2004 [20040930drb01.pdf](#)
 2. Commission on Disability Concerns – July 20, 2004 [20040930cdc01.pdf](#)
 3. Commission on Disability Concerns – Committee on Architectural Accessibility – June 1, 2004 [20040930cdcaa.pdf](#)
 4. Enhanced Services Commission – August 18, 2004 [20040930esc01.pdf](#)
 5. Golf Committee – May 5, 2004 [20040930csmr01.pdf](#)
 6. Hearing Officer – September 7 & 21, 2004 [20040930ho01.pdf](#) [20040930ho02.pdf](#)
 7. Library Advisory Board – April 5, 2004 [20040930lab01.pdf](#)
 8. Parks & Recreation Board – March 9 and May 11, 2004 [20040930csmr04.pdf](#)
[20040930csmr03.pdf](#)
 9. Tempe Double Butte Cemetery Advisory Committee – May 20, 2004
[20040930dbc01.pdf](#)
4. REPORTS AND ANNOUNCEMENTS
 - A. Mayor's Announcements
 - Introduction of Mary Jean Eisenhower, People to People International
 - Community Recognition: Questers and Tempe Historical Society
 - Board and Commission reappointments [20040930boards.pdf](#)
 - *Community Rummage Sale for ARC of Tempe*
 - B. Manager's Announcements

5. CONSENT AGENDA

All items listed on the Consent Agenda will be considered as a group and will be enacted with one motion by the City Council. None of these items will be discussed unless a Councilmember removes an item or a citizen requests that a public hearing item be removed for separate consideration. Public hearing items are designated by an asterisk (*). Items scheduled for a Introduction/First Public Hearing will be heard, but will not be voted upon, at this meeting.

'q-j' indicates items that are quasi-judicial. The City Council sits as a quasi-judicial body when hearing variances. When sitting as a quasi-judicial body, the City Council must conduct itself as a court, not as a legislative body. This means that any materials or conversations concerning the variance can only be presented to the City Council at the scheduled public hearing. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited.

A. Miscellaneous

10. Request approval of Community Development Block Grant funding for Community Bridges, a non-profit corporation.

COMMENTS: Provides \$58,599 in additional CDBG funding to close the gap on increased construction costs for the Transitional Redevelopment Center for Women and Children.

DOCUMENT NAME: [20040930dslc01.pdf](#) **COMMUNITY DEVELOPMENT BLOCK GRANT 2004/2005 (0207-26)**

11. Request approval of an Intergovernmental Agreement between the Tempe Union High School District and the City of Tempe for substance abuse prevention services.

COMMENTS: Grant award is \$78,078.

DOCUMENT NAME: [20040930csjt01.pdf](#) **TEMPE UNION HIGH SCHOOL DISTRICT (0109-14)**

12. Request approval of grant from the Arizona Department of Public Safety for crisis intervention, victim assistance staffing, and emergency funds for CARE 7 services.

COMMENTS: Grant award is \$83,683 for 2004-2005.

DOCUMENT NAME: [20040930csjt02.pdf](#) **HUMAN SERVICES NEEDS (0608-01)**

13. Request authorization for the reimbursement of expenses incurred from modified right-of-way acquisition plans for two businesses at the McClintock/Apache park-and-ride site (light rail project).

DOCUMENT NAME: [20040930pwjm01.pdf](#) **TRANSPORTATION PLANNING (1101-01)**

14. Request approval of an addendum to a professional services contract with Carollo Engineers for the South Tempe Water Treatment Plant Performance Testing Project.

COMMENTS: Increase is \$6,986.

DOCUMENT NAME: [20040930PWTG04.pdf](#) **SOUTH TEMPE WATER TREATMENT PLANT (0811-08) PROJECT NO. 32-986829**

15. Request approval of an addendum to a professional services contract with URS Corporation for locating and staking acquisition parcels and easements for light rail project construction.

COMMENTS: Increase is \$50,000.

DOCUMENT NAME: [20040930PWTG05.pdf](#) **TRANSPORTATION PLANNING (1101-01) PROJECT NO. 6710-6656**

16. DELETED

17. Request for an Amended Final Subdivision Plat by CVS Pharmacy for two (2) lots at 855 East Elliot Road.

COMMENTS: (Armstrong Development, property owner) #SBD-2004.70 for an Amended Final Subdivision Plat consisting of two (2) lots on 2.65 net acres.

DOCUMENT NAME: [20040930dsd2k06.pdf](#) **PLANNED DEVELOPMENT (0406)**

18. Request authorization for the Mayor and Council to sign a letter outlining arrangements in progress for the potential use of Mitchell School as a home for Childsplay.

DOCUMENT NAME: [20040930csju01.pdf](#) **MITCHELL SCHOOL – EAST OF HARDY ON 9TH STREET (0903-13)**

- *19. This is a public hearing for the approval of a Series 12 Restaurant Liquor License for Boathouse Enterprises, LLC, dba The Boathouse, at 5394 S. Lakeshore Drive.

COMMENTS: Christopher Mause, Agent

DOCUMENT NAME: [20040930LIQ1.pdf](#) **LIQ LIC (0210-02)**

- *20. This is a public hearing for the approval of a Series 6 Bar Liquor License for Vine Investments, Inc., dba Vine Tavern and Eatery, at 801 E. Apache Blvd.

COMMENTS: Joseph Kennedy, Agent

DOCUMENT NAME: [20040930LIQ2.pdf](#) **LIQ LIC (0210-02)**

B. Award of Bids

21. Request award of a construction contract in the amount of \$201,600 (Base Bid), plus a contingency of \$10,000, to Classic Roofing, LLC, for the Tempe Historical Museum roof rehabilitation.

COMMENTS: Subject to execution of the final written contract.

DOCUMENT NAME: [20040930PWMG01.pdf](#) **CULTURAL COMPLEX (1001-13) PROJECT NO. 6700851**

22. Request to award a one-year contract with two (2) one-year renewal options to Vulcan Aluminum as primary contractor and to Rocal, Inc., as secondary contractor for traffic sign blanks.

COMMENTS: Subject to execution of the final written contract; total cost for this contract shall not exceed \$38,000 during the initial contract period.

DOCUMENT NAME: [20040930fslg02.pdf](#) **PURCHASES (1004-01)** IFB # 05-004)

23. Request to award a one-year contract with two (2) one-year renewal options to Pacific Products and Services as primary contractor for Groups 1 and 2; to Vulcan Signs as primary contractor for Group 3 and as secondary contractor for Group 1; and to S-Square Tube as secondary contractor for Group 2, for sign posts and brackets.

COMMENTS: Subject to execution of the final written contract; total cost for this contract shall not exceed \$100,000 during the initial contract period.

DOCUMENT NAME: [20040930fslg03.pdf](#) **PURCHASES (1004-01)** IFB #05-015

24. Request to award a sole source contract to Thermo Electron for a radiation detection system.

COMMENTS: Subject to execution of the final written contract; total cost for this contract shall not exceed \$44,502.

DOCUMENT NAME: [20040930fsdl05.pdf](#) **PURCHASES (1004-01)** 05-051

25. Request to award a sole source contract to Smiths Detection for a HazMat ID data collection system and a biological agent detector.

COMMENTS: Subject to execution of the final written contract; total cost for this contract shall not exceed \$123,296.

DOCUMENT NAME: [20040930fsdl06.pdf](#) **PURCHASES (1004-01)** 05-050

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- *26. This is the **introduction and first public hearing** to authorize the Mayor to execute a Real Estate Purchase Agreement between the City of Tempe and Playa Del Norte, LLC, for the city-owned "Boardwalk West" property. **The second public hearing is set for October 7, 2004.**

COMMENTS: Property is west of Rural Road, south of the Red Mountain Highway and North of Tempe Town Lake.

DOCUMENT NAME: [20040930rsca01.pdf](#) **RIO SALADO MASTER PLAN (0112-07-03)** Ordinance No. 2004.43.

- *27.** This is the **introduction and first public hearing** for a zoning change and a site plan for Elna Rae Business Park at 1550 West Elna Rae Street. **The second public hearing is set for October 21, 2004.**

COMMENTS: (Eugene DeMuro property owner, Bill Clay applicant) located at 1550 W. Elna Rae Street, including the following:

#ZON-2004.09 Ordinance 808.2004.10 for a zoning change from I-1, Light Industrial to I-2, General Industrial District on 2.41 net acres.

#SIP-2004.58 for a Site Plan consisting of three buildings totaling 37,097 square feet for office/warehouse (Building "A", 12,544 s.f.; Building "B", 12,353 s.f.; and Building "C", 12,200 s.f.) on 2.41 net acres.

DOCUMENT NAME: [20040930dsrl03.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *28. This is the **introduction and first public hearing** for an Amended Preliminary Planned Area Development for the Wells Fargo Tempe Operations Center/Data Center Expansion and a Final Planned Area Development for Phase III, located at 1305 West 23rd Street. **The second public hearing is set for October 21, 2004.**

COMMENTS: (Wells Fargo Corporate Properties, Gaye Butcher, property owner) **#SPD-2004.65** for an Amended Preliminary Planned Area Development consisting of 530,781 s.f. of total building area and a Final Planned Area Development for Phase III, consisting of 52,500 s.f. for a second-story addition and 40,000 s.f. for a new two-story building, all on 23.49 net acres.

DOCUMENT NAME: [20040930dsd2k05.pdf](#) **PLANNED DEVELOPMENT (0406)**

D. Ordinances and Items for Second Hearing/Final Adoption

- *29. This is the **second** public hearing for an ordinance to amend Chapter 27, Article I of the Tempe City Code relating to sewers and sewage disposal.

DOCUMENT NAME: [20040930cacc04.pdf](#) **TCC CH 27 – SEWERS AND SEWAGE DISPOSAL (0503-27) Ordinance No. 2004.38**

- *30. This is the **second** public hearing to amend Zoning Ordinance No. 808 relating to the establishment of the Joint Review Committee and the MU-Ed Zoning District.

DOCUMENT NAME: [20040930dsdk01.pdf](#) **PLANNED DEVELOPMENT (0406)**
Ordinance 808.2004.09

- q-j** *31. This is the **second public hearing** for an Amended Final Plan of Development for Chevron and an Amended General Plan of Development for College Park Center at 808 East Baseline Road.

COMMENTS: (F&S Oil III, LLC, Jeff Francis, property owner) **#SGF-2004.49** for an Amended General Plan of Development for College Park Center and an Amended Final Plan of Development for Chevron consisting of 6,806 s.f. on 0.92 net acres, including the following:

Use Permit:

To allow a car wash in the PCC-1 zoning district.

Variances:

1. Reduce the required street side yard setback along Rural Road from 50 feet to 21 feet in the PCC-1 zoning district.

2. Waive the requirement for overhead bay doors to be screened from view from the abutting streets and alleys and from adjoining properties by a six (6) foot minimum height masonry wall.

DOCUMENT NAME: [20040930dsrl01.pdf](#) PLANNED DEVELOPMENT (0406)

- q-j *32. This is the **second public hearing** for a zoning change from R1-6 to R-3 for the LDS Institute at 650 East Orange Street.

COMMENTS: (Church of Jesus Christ of Latter Day Saints, John Cahoon, property owner) located at 650 East Orange Street, including the following:

#ZON-2004.07 Ordinance No. 808.2004.07 for a zoning change from R1-6, Single Family Residential to R-3, Multifamily Residential Limited on .52 gross acres.

#SIP-2004.52 for a site plan for a new building and parking structure consisting of 239,552 s.f on 3.157 net acres.

Use Permits:

1. Allow the expansion of the religious institute in R-3 Zoning District
2. Allow a commercial parking lot in the R-3 Zoning District.

Variances:

1. Increase the maximum allowable building height for the LDS Institute Building in the R-3, Zoning District from 30 feet to 48 feet.
2. Increase the maximum allowable building height for the LDS Institute parking garage in the R-3, Zoning District from 30 feet to 42 feet.
3. Increase the maximum allowable building coverage in the R-3 Zoning District from 40 percent to 54 percent.
4. Reduce the required courtyard separation between structures from 50 feet to 37 feet.
5. Reduce the required street side yard setback along McAllister Avenue from 25 feet to 20 feet.

DOCUMENT NAME: [20040930dssl02.pdf](#) PLANNED DEVELOPMENT (0406)

- q-j *33. This is the **second public hearing** for a site plan, with three variances and three use permits, for the MILL – SEVEN BUILDING at 701 South Mill Avenue.

COMMENTS: (Tempe Mill, LLC, property owners) SIP-2003.105 for a site plan for a new two-story retail/restaurant building consisting of 19,279 gross s.f. on 0.36 net acres, including the following:

Variances:

1. To allow parking by demand for projects less than 100,000 square feet.
2. Reduce the building setback from 10 feet to 0 feet and reduce the landscape setback from 15 feet to 0 feet for the Mill Avenue frontage.
3. Reduce the building setback from 10 feet to 0 feet and reduce the landscape setback from 15 feet to 0 feet for the 7th Street frontage.

Use Permits:

- A. To provide parking by demand.
- B. To allow general office/retail uses in the CCD, Central Commercial District.
- C. To allow restaurants with outdoor dining (excluding bars and live entertainment) in the CCD, Central Commercial District.

DOCUMENT NAME: [20040930dsrl04.pdf](#) PLANNED DEVELOPMENT (0406)

E. Resolutions

- *34. This is a public hearing for approval of a resolution amending Appendix A of the Tempe City Code relating to *irrigation* rates.

DOCUMENT NAME: [20040930cacc01.pdf](#) **MISCELLANEOUS FEES (0210-05) RESOLUTION NO. 2004.80**

- *35. This is a public hearing for approval of a resolution amending Appendix A of the Tempe City Code relating to *waterrates*.

DOCUMENT NAME: [20040930cacc02.pdf](#) **MISCELLANEOUS FEES (0210-05) RESOLUTION NO. 2004.81**

- *36. This is a public hearing for approval of a resolution amending Appendix A of the Tempe City Code relating to *wastewater* rates.

DOCUMENT NAME: [20040930cacc03.pdf](#) **MISCELLANEOUS FEES (0210-05) RESOLUTION NO. 2004.82**

37. Request approval of a resolution authorizing the Mayor to enter into an Amended and Restated Intergovernmental Agreement between the Arizona Board of Regents (acting for and on behalf of Arizona State University) and the City of Tempe.

DOCUMENT NAME: [20040930dscm01.pdf](#) **ARIZONA STATE UNIVERSITY (0109-02) RESOLUTION NO. 2004.83**

38. Request approval of a resolution implementing measures to reduce dust emissions from targeted paved roads for the revised PM-10 State Implementation Plan for the Salt River Area.

DOCUMENT NAME: [20040930pwjo01.pdf](#) **AIR POLLUTION ADMINISTRATION (0604-01-02) RESOLUTION NO. 2004.84.**

39. Request approval of a resolution approving the Amended City of Tempe Firefighters Unit Memorandum of Understanding ("Amended MOU") and authorizing its execution.

DOCUMENT NAME: [20040930hrds01.pdf](#) **FIRE – MEET & CONFER (0303-08-01) RESOLUTION NO. 2004.79**

6. **NON-CONSENT AGENDA**

7. **PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the City Council agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on the agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes will not be allowed during formal meetings.

Members of the public attending City Council meetings shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

8. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS